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Date: September 16, 2003

Docket No.: 4450-0404P

## MS PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing is a patent application claiming priority under 35 U.S.C. § 119(e) of Provisional Application No. 60/411,007, filed on September 16, 2003.

Inventor(s): Michael Y. FRANKEL, Joseph E. BERTHOLD

For: OPTICAL CROSS CONNECT APPARATUS AND METHOD

Enclosed are:

- ☒ A specification consisting of twenty-one(21) pages
- ☒ Eight (8) sheet(s) of formal drawings
- ☐ An assignment of the invention
- ☐ Applicant does not claim priority
- ☐ Applicant claims the right of priority under 35 U.S.C. § 119 based on Application No(s). filed in on .
  - ☐ Certified copy(ies) is(are) attached hereto.
  - ☐ Certified copy(ies) will follow.

- ☒ Executed Declaration (☐ Original ☒ Photocopy)  
☐ Applicant claims small entity status under 37 C.F.R. § 1.27.  
☐ Preliminary Amendment  
☐ Application Data Sheet in accordance with 37 C.F.R. § 1.76  
☐ Information Disclosure Statement, PTO-1449 and reference(s)  
☐ Applicant requests early publication - \$300.00 publication fee  
☐ Non-publication Request and Certification under 35 U.S.C. § 122(b)(2)(B)(i)  
☒ Other: Preliminary Amendment  
☒ Provisional application filed in English:  
☒ YES ☐ NO

If "NO," an English translation with a Statement of Accuracy:  
☐ is attached hereto ☐ will follow.

The filing fee has been calculated as shown below:

			LARGE ENTITY	SMALL ENTITY
BASIC FEE			\$750.00	\$37500
	NUMBER FILED	NUMBER EXTRA	RATE FEE	RATE FEE
TOTAL CLAIMS	26- 20 =	60	X 18 = \$108.00	x 9 = \$0.00
INDEPENDENT CLAIMS	4- 3 =	1	x 84 = \$84.00	x 42 = \$0.00
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED			+ \$280.00	+ \$140.00
TOTAL			\$942.00	\$0.00

- ☒ A check in the amount of \$942.00 to cover the filing fee and recording fee (if applicable) is enclosed.

Docket No. 4450-0404P

- ☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this transmittal form is enclosed.
- ☒ Please send correspondence to:  
BIRCH, STEWART, KOLASCH & BIRCH, LLP or Customer No. 02292  
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Michael R. Cammarata, #39,491

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Attachment(s)

(Rev. 08/12/03)